



Steven W. Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services
Veterinary Division

David T. Marshall, DVM
State Veterinarian

October 15, 2009

Kristina Duggins
Yadkin County Animal Control
PO Box 876
Yadkinville, NC 27055

**CERTIFIED MAIL RETURN
RECEIPT REQUESTED**

7006 2760 0003 0472 1955

Notice of Voluntary Suspension of Gas Chamber Operation Privilege
Re: Violation of Title 02, N.C. Administrative Code Chapter 52J, Section(s) .0601 et seq.

Dear Ms. Duggins:

Ms. Shelley Swaim, Animal Health Technician with the North Carolina Department of Agriculture & Consumer Services, Animal Welfare Section, Veterinary Division, conducted an inspection in your facility and discovered specific conditions and/or practices amounting to failure to comply with the requirements of 02 NCAC .0601 et seq., in violation of state law and regulations.

On 6 October 2009, Ms. Swaim visited the Yadkin County Animal Shelter at 1627 Speaks Street, Yadkinville, NC and found that the CO chamber does not have a minimum stack velocity of at least 3,000 feet per minute.

At the time of inspection you agreed to voluntarily suspend use of your carbon monoxide chamber to euthanize animals under your animal shelter certification. This letter confirms this Department's understanding that said suspension is voluntary and shall continue until you report to me that all of the above-listed instructions have been carried out.

Ms. Swaim also told you that your premises and practices may be rechecked. Please let us know in writing (FAX, US mail or email) when your CO chamber is fitted with a fan providing a minimum stack velocity of at least 3,000 feet per minute and have obtained an inspection report verifying that the chamber meets the requirements pursuant to NCAC 52J .0605. You may fax a copy of the report verifying compliance to this office at (919) 733-6431, mail it to the address shown on this letter or email it to agr.aws@ncagr.gov.

If a violation of these statutes or regulations occurs, it could result in disciplinary action against your certification and that of the facility employing you, the assessment of a civil penalty of up to \$5,000.00 per violation under N.C. Gen. Stat. § 19A-40.

Sincerely,

Lee Hunter, DVM
Director, Animal Welfare Section

JLH/mwb

cc: Mr. Howard Isley, Assistant Commissioner
Ms. Dianne Whitman, Administrative Officer
Mr. Barry Bloch, Assistant Attorney General
Ms. Shelley Swaim, Animal Health Technician